

### **REMARKS/ARGUMENTS**

Claims 24 -29, 32 and 33 are pending in the present application. Claim 24 has been amended to expedite prosecution by more clearly point out that quantified data for both renal perfusion and renal stenosis grade are provided in one single examination. Basis for this claim amendment can be found in the last section on page 4 and second section on page 9. The following remarks are believed to be fully responsive to the Office Action.

#### **35 USC § 103 (a) Rejection**

Claims 24 and 32-33 stand rejected under 35 USC § 103(a) as being unpatentable over Mistretta et al. (Mistretta”) in view of Stark et al (“Stark”) alone or in further view of Schurfeld et al. (“Schurfeld”) or Lerman et al. (“Lerman”).

In the Office Action dated November 19, 2008, the Examiner holds that the MR data obtained by Stark which is indicative of renal stenosis grade is inherently also indicative of renal perfusion.

Applicants respectfully point out that renoparenchymal and renovascular diseases can co-exist and it is important to determine the extent to which a renal artery stenosis is contributing to the overall malfunctioning of the kidney, i.e. to determine the hemodynamic and functional significance of the stenosis. The present invention describes a method of how

to quantify both the morphological degree of renal artery stenosis and the renal parenchymal perfusion in a single MR examination if a blood pool contrast agent is used, i.e. a contrast agent that remains in the intravascular space during the time course of the examination.

None of the prior art documents are related to renal perfusion and they do not disclose, teach or suggest quantification of both perfusion and stenosis grade in a single examination.

Additionally, on page 4 of the current Office Action the Examiner holds that the claims fail to set forth that in a single examination quantified data for both renal perfusion and renal stenosis grade is provided. In response, Applicants have amended claim 24 to expedite prosecution by more clearly pointing out that quantified data for both renal perfusion and renal stenosis grade are provided in one single examination.

Claims 25-27 are rejected under stand rejected under 35 USC § 103(a) as being unpatentable over Mistretta in view of Stark alone or further in view of Schurfeld or Lerman in view of Berg. Since claims 25-27 only introduce further limitations to the present invention, claims 25-27 will stand or fall based on independent claim 24.

Claim 28 is rejected under stand rejected under 35 USC § 103(a) as being unpatentable over Mistretta in view of Stark alone or further in view of Schurfeld or Lerman

and in further view of Fischer. Since claim 28 only introduces further limitations to the present invention, claim 28 will stand or fall based on independent claim 24.

Claim 29 is rejected under stand rejected under 35 USC § 103(a) as being unpatentable over Mistretta in view of Stark alone or further in view of Schurfeld or Lerman and in further view of McMurray. Since claim 29 only introduces further limitations to the present invention, claim 28 will stand or fall based on independent claim 24.

Accordingly, Applicants respectfully request that the Examiner withdrawal the rejections for claims 24-29 and 32-33 under 35 U.S.C. §103(a) and direct that these claims be allowed.

### **CONCLUSION**

Upon entry of this Amendment, claims 24-29 and 32-33 remain pending. Applicants submit that all outstanding issues have been addressed, and that claims 24-29 and 32-33 are in condition for allowance, which action is earnestly solicited.

Should any other matters require attention prior to allowance of the application, it is requested that the Examiner contact the undersigned.

Respectfully submitted,

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